

CLOSED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:07-mj-01446-DUTY All Defendants**

Case title: USA v. Palache

Date Filed: 08/30/2007

Date Terminated: 09/07/2007

Assigned to: Duty Magistrate Judge

Defendant

Cecilio Palache (1)

TERMINATED: 09/07/2007

also known as

Cecillo Pacache (1)

TERMINATED: 09/07/2007

represented by **Myra J Sun**

Federal Public Defenders Office

321 E 2nd St

Los Angeles, CA 90012-4206

213-894-2854

Email:

zzCAC_FPD_Document_Receiving@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

Defendant in violation of 21:846

Disposition

Plaintiff

USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney

312 N Spring St, 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/30/2007	<u>1</u>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Cecillo Palache, originating in the Middle District of Alabama. Defendant charged in violation of: 21:846. Signed by agent I. Navarro, USMS. (mw) (Entered: 09/04/2007)
08/30/2007	<u>2</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Cecillo Palache; defendants Year of Birth: 1974; date of arrest: 8/29/2007 (mw) (Entered: 09/04/2007)
08/30/2007	<u>3</u>	Defendant Cecillo Pacache arrested on warrant issued by the USDC Middle District of Alabama at Montgomery. (mw) (Entered: 09/04/2007)
08/30/2007	<u>4</u>	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Paul L. Abrams as to Defendant Cecillo Pacache Defendant arraigned and states true name is Cecilio Palache. Attorney: Myra J Sun for Cecillo Pacache, DFPD, present. Court orders bail set as: Cecillo Pacache (1) \$500,000 Appearance Bond, SEE BOND FOR TERMS AND CONDITIONS. Identity Hearing set for 9/7/2007 09:00 AM before Magistrate Judge Paul L. Abrams. RELEASE ORDER NO. 30046 signed by Judge Lum on 8/31/07Court Smart: CS 8/30/07. (mw) (Entered: 09/04/2007)
08/30/2007	<u>5</u>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Cecillo Pacache (mw) (Entered: 09/04/2007)
08/30/2007	<u>6</u>	DECLARATION RE: PASSPORT filed by Defendant Cecilio Palache, declaring that I do not currently possess any passport(s). I will not apply for the issuance of a passport during the pendency of this case.. (mw) (Entered: 09/04/2007)
08/30/2007	<u>7</u>	FINANCIAL AFFIDAVIT filed as to Defendant Cecilio Palache. (mw) (Entered: 09/04/2007)
08/30/2007	<u>8</u>	AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$ \$75,000 by surety: Socorro Lopez. Filed by Defendant Cecilio Palache (mw) (Entered: 09/04/2007)
08/30/2007	<u>9</u>	AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$ \$75,000 by surety: Janett Palache. Filed by Defendant Cecilio Palache (mw) (Entered: 09/04/2007)

08/30/2007	<u>11</u>	AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$ \$350,000 by surety: Manuel Palache Filed by Defendant Cecilio Palache (mw) (Entered: 09/06/2007)
08/31/2007	<u>10</u>	MEMORANDUM FOR RELEASE ORDER AUTHORIZATION filed by PSA Officer as to Defendant Cecilio Palache. Submitted in compliance with conditions as set forth in CR-1 form. (mw) (Entered: 09/04/2007)
09/04/2007	<u>12</u>	MINUTES OF IN CHAMBERS ORDER by Judge Paul L. Abrams : The secured affidavit of surety with deeding of property, to be posted by defendant's father, Manuel Palache, no later than September 12, 2007, will replace the unsecured affidavit of surety signed by Manuel Palache previously filed with the Court. (rts) (Entered: 09/10/2007)
09/07/2007	<u>13</u>	MINUTES OF RULE 5(c)(3) IDENTITY HEARING held before Magistrate Judge Paul L. Abrams as to Defendant Cecilio Palache. Attorney: Myra Sun, DFPD, present. Court orders defendant held to answer to Middle District of Alabama. Bond to be Transferred if bail is posted. Defendant ordered to report on 10/05/07. Court Smart: CourtSmart. (rts) Additional attachment(s) added on 9/10/2007 (rts,). (Entered: 09/10/2007)
09/07/2007	<u>14</u>	WAIVER OF RIGHTS approved by Magistrate Judge Paul L. Abrams as to Defendant Cecilio Palache. I HEREBY WAIVE (GIVE UP) MY RIGHTS(S) TO: have an identity hearing. (rts) (Entered: 09/10/2007)

PACER Service Center			
Transaction Receipt			
09/10/2007 13:49:19			
PACER Login:	us4894	Client Code:	
Description:	Docket Report	Search Criteria:	2:07-mj-01446-DUTY
Billable Pages:	2	Cost:	0.16

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

2007 AUG 30 PM 12:26

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

CASE NUMBER

PLAINTIFF(S)

2:06 CR 169 ~~WHA~~

07-1446M

CERCELIO PALACHE

DEFENDANT(S)

AFFIDAVIT RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: INDICTMENT
 in the MIDDLE District of PLACER on 7-24-06
 at 1102 ☐ a.m. / ☐ p.m. The offense was allegedly committed on or about 1102
 in violation of Title 21 U.S.C., Section(s) 846
 to wit: DANGEROUS DRUGS

A warrant for defendant's arrest was issued by: GRAND JURY

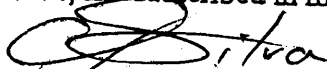
Bond of \$ _____ was ☐ set / ☐ recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I swear that the foregoing is true and correct to the best of my knowledge.

Sworn to before me, and subscribed in my presence on August 30, 2007, by



Deputy Clerk.

Signature of Agent

Print Name of Agent

Agency

Title

FILED

2007 AUG 30 PM 12: 26

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELESBY UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

PLAINTIFF

v.

CERCELIO PALACHE

DEFENDANT(S).

CASE NUMBER

07-1446M

2:06 CR 169-WHA

REPORT COMMENCING CRIMINAL
ACTION

TO: CLERK'S OFFICE, U. S. DISTRICT COURT

All items are to be completed. Information not applicable or unknown will be indicated as "N/A".

1. Date and time of arrest 8/29/07 - 4:00 ☐ AM ☒ PM


2. Charges under which defendant has been booked at Metropolitan Detention Center (MDC):

21/846 - DRUGS3. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor4. U.S. Citizen: ☐ Yes ☒ No ☐ Unknown5. Year of Birth: 19746. The defendant is: ☒ Presently in custody on this charge.
☐ At liberty on bond posted before a Magistrate Judge.
☐ At liberty and warrant is requested.
☐ Federal - In custody on another conviction.
☐ State - In custody awaiting trial on these charges.7. Place of detention (if out-of-district): HA8. Date detainer placed on defendant: N/A

9. This is a reprosecution of previously dismissed charges. (Docket/Case No. _____)

10. Name of Pretrial Services Officer: DRUG OFFICER

11. Remarks (if any): _____

12. Date: 8/30/0713. Signature: 14. Name: L. NAWPADO

15. Title: _____

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

Western Division

vs.

Case Number: 2:07-MJ-01446

Out of District Affidavit

Initial App. Date: 08/30/2007

Initial App. Time: 2:00 PM

Cecillo Pacache

Defendant.

Date Filed: 08/30/2007

Violation: 21:846

CourtSmart:

8/30/07

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: Paul L. AbramsCALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Christianna Howard

None

Deputy Clerk

Abigail Evans

Assistant U.S. Assistant

Interpreter/Language

☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and
☒ preliminary hearing OR ☒ removal hearing / Rule 20.☒ Defendant states true name ☐ is as charged ☒ is Cecilio Palache☒ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered SEALED.☒ Attorney: Myra Sun ~~Rick Goldman~~, DFPD ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)☐ Special appearance by: _____☒ Government's request for detention is: ☐ GRANTED ☒ DENIED ☐ WITHDRAWN ☐ CONTINUED☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).☒ BAIL FIXED AT \$ 500,000 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED☐ Preliminary Hearing waived.☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties☐ This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of all further proceedings.☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.☐ Preliminary Hearing set for _____ at 4:30 PM☐ PIA set for: _____ at 8:30 AM in LA; at 3:00 PM in Riverside; at 10:00 AM in Santa Ana☐ Government's motion to dismiss case/defendant _____ only: ☐ GRANTED ☐ DENIED☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED☐ Defendant executed Waiver of Rights. ☐ Process received.☐ Court ORDERS defendant Held to Answer to _____ District of _____☐ Bond to transfer, if bail is posted. Defendant to report on or before _____☐ Warrant of removal and final commitment to issue.☐ Warrant of removal and final commitment are ordered stayed until _____☒ Case continued to (Date) 9/7/07 (Time) 9:00 AM PM
Type of Hearing: ID Hearing Before Judge Abrams Duty Magistrate Judge.Proceedings will be held in the ☐ Duty Courtroom ☒ Judge's Courtroom G☐ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.☒ RELEASE ORDER NO: 30046 (Release signed by Judge Lum 8/31/07)☐ Other: _____☐ PSA☐ FINANCIAL☐ READYDeputy Clerk Initials CH

10

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Cecillo Pacache

Defendant / Material Witness.

CASE NUMBER:

COMPLAINT:

MS 07-1446-

INDICTMENT / INFORMATION:

VIOLATION OF TITLE:

21

SECTION:

846

☐ PERSONAL RECOGNIZANCE (Signature only - no dollar amount)☐ UNSECURED APPEARANCE BOND IN THE AMOUNT OF \$

RELEASE No. 300460

☒ APPEARANCE BOND IN THE AMOUNT OF \$ 500,000☐ WITH CASH DEPOSIT (AMOUNT OR %)☒ RELEASE TO PRETRIAL ONLY☒ WITH AFFIDAVIT OF SURETY NO JUSTIFICATION (Form CR-4)☐ FORTHWITH RELEASE

\$ 75,000 - sister, Janette

\$ 75,000 - Soreno Lopez, girlfriend

☐ ALL CONDITIONS OF BOND

SHALL BE MET AND BOND

☒ WITH AFFIDAVIT WITH JUSTIFICATION OF SURETY (Form CR-3)

POSTED BY:

Date

Manuel Pacache - 350,000

☒ WITH DEEDING OF PROPERTY no later than 9/12/07☐ COLLATERAL BOND IN AMOUNT OF (Cash or Negotiable Securities) \$☐ CORPORATE SURETY BOND IN AMOUNT OF (Separate Form Required) \$☐ ADDITIONAL REQUIREMENTS:☒ BAIL FIXED BY COURT 1.1☐ ALL REQUIREMENTS HAVE BEEN MET:

Deputy Clerk

Deputy Clerk

PRE-CONDITIONS TO RELEASE

☐ Bail is subject to Nebbia hearing which is a hearing to inquire about the source of the collateral.☐ The Nebbia hearing can be waived by the government.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, as specified on other side, the following conditions of release are imposed upon you:

☒ Defendant shall submit to: ☐ Pretrial Supervision. ☐ Intensive Pretrial Supervision.☒ Surrender all passports to the Clerk of Court, or sign a declaration no later than, _____ and not apply for the issuance of a passport during the pendency of this case.☒ Travel is restricted to: CD/CA Middle District of Alabama for court purposes only☒ Do not enter premises of any airport, seaport, railroad, or bus terminal which permits exit from the Continental U.S. or area of restricted travel without Court permission.☒ Reside as approved by PSA and do not relocate without prior permission from PSA.☒ Maintain or actively seek employment and provide proof to PSA.☐ Maintain or commence an educational program and provide proof to PSA.☐ Avoid all contact, directly or indirectly, with any person who is or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____☐ Not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☐ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.☐ Not use/possess any identification other than in your own legal name or true name. ☐ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the U.S. Marshal.☐ Not use alcohol.☒ Not use or possess illegal drugs. ☒ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.☒ Submit to drug [and/or] alcohol testing and outpatient treatment as directed by PSA. You shall pay all or part of the cost for testing and treatment based upon your ability to pay as determined by PSA.☐ Participate in residential drug [and/or] alcohol treatment as deemed necessary by PSA. You shall pay all or part of the cost for treatment based upon your ability to pay as determined by PSA. ☐ Release to PSA only.☐ Participate in mental health evaluation, and/or counseling and/or treatment as directed by PSA. You shall pay all or part of the costs based upon your ability to pay as determined by PSA.

Defendant Initials

Date

ORIGINAL - YELLOW COPY

PINK - PRETRIAL SERVICES

WHITE - DEFENDANT COPY

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Cecillo Parache

CASE NUMBER:

MJ 07-1446

~~Defendant~~/Material Witness.

- ☒ Participate in one of the following home confinement program components and abide by all requirements of the program which ☒ will or ☐ will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by PSA.
- ☐ Curfew. You are restricted to your residence every day: ☐ from _____ to _____. ☐ as directed by PSA.
- ☐ Release to PSA only.
- ☒ Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court-ordered obligations; or other activities as pre-approved by PSA. ☒ Release to PSA only.
- ☐ Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment; religious services; and court appearances as pre-approved by PSA. ☐ Release to PSA only.
- ☐ Not possess or have access to, either in the home, the workplace, or any other location, any device which offers Internet access, except as approved by PSA. ☐ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.
- ☐ Not associate or have verbal, written, telephonic, or electronic communication with any person who is less than the age of 18 except in the presence of another adult who is the parent or legal guardian of the minor.
- ☐ Not loiter/be found within 100 feet of any school yard, park, playground, arcade, or other place primarily used by children under the age of 18.
- ☐ Not be employed by, affiliate with, own, control, or otherwise participate directly or indirectly in conducting the affairs of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.
- ☐ Not view or possess child pornography or child erotica. ☐ In order to determine compliance, you will agree to submit to a search of your person and/or property, including computer hardware and software, by Pretrial Services in conjunction with the US Marshal.
- ☒ Other conditions: Maintain current residence

1) Release upon signing of affidavits.3) 9/12/07 posting of property9/13/07
DateCecillo Parache
Defendant/Material Witness' Signature(333) 333-0924
Telephone NumberLos Angeles CA 90012
City, State And Zip Code

- ☐ Check if interpreter is used: I have interpreted into the _____ language all of the above conditions of release and have been told by the defendant that he or she understands all of the conditions of release.

Interpreter's signature_____
Date

Approved: _____

United States District Judge / Magistrate Judge_____
Date

If Cash Deposited: Receipt # _____

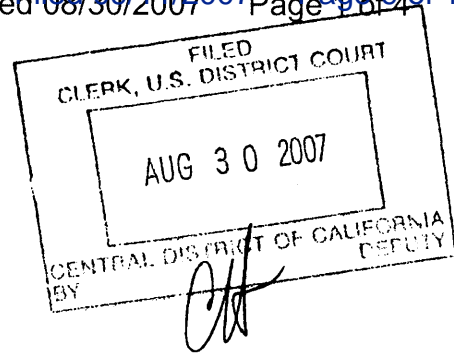
For \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rules 46-3.2 and 46-6)

ORIGINAL - YELLOW COPY

PINK - PRETRIAL SERVICES

WHITE - DEFENDANT COPY



GEORGE S. CARDONA
United States Attorney
THOMAS P. O'BRIEN
Special Assistant United States Attorney
Chief, Criminal Division
ABIGAIL W. EVANS (SBN: 249629)
Assistant United States Attorney
Violent and Organized Crime Section
1500 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Telephone: (213) 894-0703
Facsimile: (213) 894-3713
Email: Abigail.W.Evans@usdoj.gov

Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cecilio Palache

Defendant.

No. *07-MJ-01446*

GOVERNMENT'S NOTICE OF REQUEST
FOR DETENTION

Plaintiff, United States of America, by and through its
counsel of record, hereby requests detention of defendant and gives
notice of the following material factors:

1. Temporary 10-day Detention Requested (§ 3142(d))
on the following grounds:

a. offense committed while defendant was on release
pending (felony trial), (sentencing) (appeal) or
on (probation) (parole);

b. alien not lawfully admitted for permanent

residence;

___ c. flight risk;

___ d. danger to community.

X 2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure against:

X a. danger to any other person or the community;

X b. flight.

___ 3. Detention Requested Pending Supervised

Release/Probation Revocation Hearing (Rules 32.1, 46, § 3143) because defendant cannot establish a condition or combination of conditions that will reasonably assure against:

___ a. Danger to any other person or the community;

___ b. Flight.

___ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

___ a. Title 21 offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

___ b. firearm used or carried during offense (18 U.S.C. § 924(c)) (presumption of danger to community and flight risk);

___ c. offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260,

2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

— d. offense under Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.) (presumption of danger to community and flight risk);

~~X~~ e. defendant currently charged with (I) crime of violence, (II) offense with maximum sentence of life imprisonment or death, (III) Title 21 offense with ten year or greater maximum sentence, or (IV) state or local offense that would qualify under I, II, or III if federal jurisdiction were present, and defendant was previously convicted of a crime listed in I, II, or III committed while on release pending trial, and the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

~~X~~ 5. Government is Entitled to Detention Hearing Under § 3142(f) Based on the Following:

- a. crime of violence (defined in 18 U.S.C. § 3156);
- b. maximum sentence is life imprisonment or death;
- X c. Title 21 offense with maximum sentence of ten years or more;
- d. instant offense is felony and defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law

1 that would qualify under a, b, or c if federal
2 jurisdiction were present;

3 ____ e. serious risk of flight;

4 ____ f. serious risk of (obstructing justice or
5 attempting to obstruct justice) (threatening,
6 injuring, or intimidating witness or juror, or
7 attempting to do so).

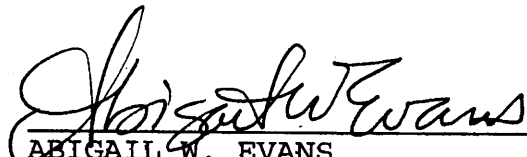
8 ____ 6. Government requests continuance of ____ days for
9 detention hearing based upon the following reason: ____
10
11
12

13 ____ 7. Good cause for continuance in excess of three days
14 exists in that:
15
16
17
18
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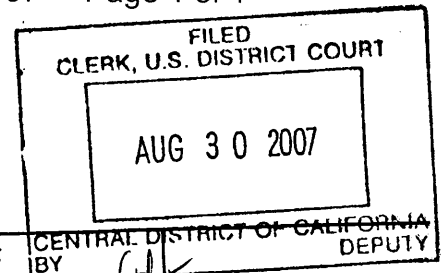
20 DATED: August 30, 2007

Respectfully submitted,

21 GEORGE S. CARDONA
22 United States Attorney

23 
24 ABIGAIL W. EVANS
25 Assistant United States Attorney

26 Attorneys for Plaintiff
27 United States of America
28



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

PLAINTIFF

v.

CECILIO PALACHE

DEFENDANT.

CASE NUMBER:

07-1446-M

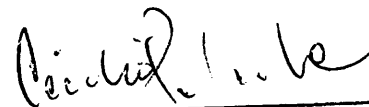
DECLARATION RE PASSPORT

I, CECILIO PALACHE, declare that
(Defendant)

- ☒ I do not currently possess any passport(s). I will not apply for the issuance of a passport during the pendency of this case.
- ☐ I am unable to locate my passport(s). If I locate any passport issued to me, I will immediately surrender it to the Clerk of the Court. I will not apply for the issuance of a passport during the pendency of this case.
- ☐ My passport is in the possession of federal agents. If my passport is returned to me during the pendency of this case, I will immediately surrender it to the Clerk of the Court. I will not apply for the issuance of a passport during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of AUGUST, 2007
at LOS ANGELES, CALIFORNIA
(City and state)


Signature of Defendant

United States Pretrial Services

United States District Court
Central District of California

George M. Walker
Chief U.S. Pretrial Services Officer



Jill F. McClain
Deputy Chief U.S. Pretrial Services Officer

August 31, 2007

United States District Court
United States Clerk's Office
Edward R. Roybal Federal Building
Room 178
Los Angeles, California 90012

Re: Release Order Authorization
Defendant: Palache, Cecillo
Docket #: 07-1446

To Whom it May Concern:

On August 30, 2007, the defendant's bond was set by the Honorable Paul A. Abrams, at a \$500,000 Appearance Bond. Special conditions of the bond include: **RELEASE TO PRETRIAL SERVICES ONLY**, for placement in an electronic monitoring program.

Please be advised that the defendant has been found acceptable for placement in an electronic monitoring program.

If you determine that the bond has been satisfied, please prepare a release order with the **RELEASE TO PRETRIAL SERVICES ONLY** box checked for the duty Magistrate Judge's signature.

Sincerely,

Rachel Schnayerson

Digitally signed by Rachel Schnayerson
DN: cn=Rachel Schnayerson, c=US, o=U.S. Pretrial Services,
ou=U.S. Pretrial Services Officer,
email=Rachel_Schnayerson@cacpt.uscourts.gov
Date: 2007.08.31 10:56:43 -07'00'

Rachel Schnayerson
U.S. Pretrial Services Officer
(213) 894-1342

cc: File

☒ **HQ & Supervision Unit**

U.S. Courthouse
312 North Spring Street, Room 754
Los Angeles, CA 90012-4708
213-894-4726 / FAX 213-894-0231

☐ **Investigation Unit**

Edward R. Roybal Federal Building
255 East Temple Street, Room 1178
Los Angeles, CA 90012-3326
213-894-5568 / FAX 213-894-8892

☐ **Santa Ana Branch**

Ronald Reagan Federal Building
411 West Fourth Street, Room 4070
Santa Ana, CA 92701-4596
714-338-4550 / FAX 714-338-4570

☐ **Riverside Branch**

George E. Brown, Jr. Courthouse
3470 Twelfth Street, Room 161
Riverside, CA 92501
951-328-4490 / FAX 951-328-4489

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES-GENERAL

Case No. MJ 07-1446

Date September 4, 2007

Title: United States of America v. Cecilio Palache

PRESENT: THE HONORABLE PAUL L. ABRAMS

☐ U.S. DISTRICT JUDGE

☒ MAGISTRATE JUDGE

Christianna Howard

Deputy Clerk

N/A

Court Reporter / Recorder

N/A

Tape No.

ATTORNEY PRESENT FOR PLAINTIFF:
NONE

ATTORNEY PRESENT FOR DEFENDANT:
NONE

PROCEEDINGS: (IN CHAMBERS)

The secured affidavit of surety with deeding of property, to be posted by defendant's father, Manuel Palache, no later than September 12, 2007, will replace the unsecured affidavit of surety signed by Manuel Palache previously filed with the Court.

cc: Abigail Evans, AUSA
Myra Sun, DFPD

Initials of Deputy Clerk ch

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

RECORD OF PROCEEDINGS

Case No. MJ 07-1446 Tape No. CourtSmart Date: September 7, 2007
 Present: The Honorable Paul L. Abrams, U.S. Magistrate Judge
Christianna Howard April Christine n/a
Deputy Clerk *Assistant U.S. Attorney* *Interpreter*

USA v. Cecilio Palache

Attorney Present for Defendant:

Myra Sun

☒ Present ☐ Custody ☒ Bond ☐ Not present

☒ Present ☐ CJA ☐ Retd ☒ DFPD ☐ Not present

PROCEEDINGS: ARRIVAL OF PROCESS / FAILURE TO APPEAR HEARING

- ☒ Process ☒ received ☐ not received
☐ Court orders case continued to _____ at _____ ☐ a.m. / ☐ p.m. for _____
☐ Defendant executes waiver of removal hearing and is ordered **HELD TO ANSWER** to the U.S. District Court,
 _____ District of _____ at _____
☐ Court orders U.S. Marshal to return the defendant to the U. S. District Court _____ District
 of _____ at _____
☐ Final Commitment and Warrant of Removal to issue.
☐ Court orders defendant to appear in the District of Origin no later than _____, 20____.
☐ Bond to be transferred if bail is posted.
☐ Defendant executes Rule 20 consent form and is ordered **HELD TO ANSWER** to the U.S. District Court at **LOS ANGELES**.
☐ Other: _____

PROCEEDINGS: IDENTITY OR REMOVAL HEARING

- ☐ Witness(es) called, sworn and testified - see separate witness list.
☐ Exhibits are marked and admitted - see separate exhibit list.

RULING:

- ☐ Court finds defendant ☐ to be the person ☐ not to be the person charged in the ☐ Indictment ☐ Information
☐ Complaint and **ORDERS** the defendant **HELD TO ANSWER** to the U.S. District Court, _____
 District of _____ at _____
☐ Court finds ☐ probable cause ☐ no probable cause and orders the defendant returned to the originating district and
ORDERS proceedings terminated in this district.
☐ Court **ORDERS** the U.S. Marshal to return the defendant to U.S. District Court, _____
 District of _____ at _____
☐ Final Commitment and Warrant of Removal to issue.
☒ Court orders defendant to appear in the District of Origin no later than October 5, 2007.
☒ Bond to be transferred if bail is posted.
☒ Other: Waiver submitted to the Court.

cc: Blue copy - AUSA

Yellow copy - Defendant

Pink copy - PSA

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION
312 North Spring Street, Room G-8
Los Angeles, CA 90012
Tel: (213) 894-3535

SOUTHERN DIVISION
411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4750

EASTERN DIVISION
3470 Twelfth Street, Room 134
Riverside, CA 92501
(951) 328-4450

SHERRI R. CARTER
District Court Executive and
Clerk of Court

September 10, 2007

Clerk, United District Court
Middle District of Alabama
Frank M. Johnson, Jr. Federal
Courthouse Annex, Suite B-110
One Church Street
Montgomery, AL 36104

Re: Transfer to U.S. Magistrate Judge

Case No. OUR CASE # 07 MJ 1446 / YOUR CASE # 2:06CR00169WHA

Case Title: USA V CECILLO PACACHE

Dear Sir/Madam:

Pursuant to Rule 40 of the Federal Rules of Criminal Procedure, enclosed are the following:

- ☒ Certified copy of entire case file.
- ☒ Certified copy of docket sheet
- ☐ Letter re status of property bond
- ☐ Original bond enclosed
 - ☐ Original bond to be forwarded by the Fiscal Section
 - ☐ Certified copy of final commitment
 - ☐ Original Passport
- ☒ Original Declaration re: Passport
- ☒ Other documents #7, #8, #9, & #11 are NFPV pursuant to the E-Government Act of 2002.

Please acknowledge receipt on the copy of this letter and return to this office.

Sincerely,

Clerk, U.S. District Court

By Rosalind Tyus-Simon
Deputy Clerk 213-894-8288

cc: *U.S. Attorney (Central District of California)*
U.S. Attorney (Receiving district)

Receipt of the above-described documents is acknowledged herewith and assigned case number:

Clerk, U.S. District Court

Date

By _____
Deputy Clerk

SEP - 7 2007

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIACENTRAL DISTRICT OF CALIFORNIA
BY OK DEPUTY

UNITED STATES OF AMERICA,

PLAINTIFF

v.

CECILIO PALACHE

DEFENDANT.

CASE NUMBER:

07-1446-M

WAIVER OF RIGHTS
(OUT OF DISTRICT CASES)

I understand that charges are pending in the MIDDLE District of ALABAMA
alleging violation of 21 USC §846 and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) receive a copy of the charge(s) against me;

-Check one only-

☐ EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

- ☒ have an identity hearing
- ☐ receive a copy of the charges(s) against me
- ☐ have a preliminary examination
- ☐ have an identity hearing, and I have been informed that I have no right to a preliminary examination
- ☐ have an identity hearing, but I request that a preliminary examination be held in the prosecuting district

Cecilio Palache

Defendant

Myra Sun

Defense Counsel

Tabb

United States Magistrate Judge

Date:

9/7/07